

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.546 of 2019

Arising Out of PS. Case No.-178 Year-2012 Thana- BABUBARHI District- Madhubani

KISHORI PAL Son of Vishundeo Pal Resident of Village - Surha, p.S.-
Babubarhi, Dist.- Madhubani

... .. Appellant/s

Versus

THE STATE OF BIHAR Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Md. Soban Asghar
For the Respondent/s : Mr.Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 22-02-2019

The appellant seeks pre arrest bail in connection with Babubarhi P.S. Case No. 178 of 2012, registered for offences punishable under Sections 341, 447, 323 and 504 of the Indian Penal Code and Section 3(i)(x) of SC/ST Act.

Allegation against the appellant is of abusing the informant by caste name and also of assaulting him and it further appears that the occurrence is of the year 2012.

It has been submitted on behalf of the appellant that he has falsely been implicated in this case and he is aged about 50 years and no occurrence as alleged in the F.I.R. has ever taken place. However, on query of the court as to why he has come for grant of pre arrest bail after lapse of seven years, in spite of the fact that he is named in the F.I.R., no satisfactory reply was



given.

Learned Special P.P. opposed the prayer for bail.

Having heard both sides, considering the facts and circumstances of the case and the conduct of the appellant, I am not inclined to grant him the privilege of pre-arrest bail rather he should surrender before the court below and pray for regular bail, which will be disposed of by the court below on the merit of the case, without being prejudiced by the order of this Court.

This appeal is, accordingly, dismissed.

(Vinod Kumar Sinha, J)

sunilkumar/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

